OIPE JUL 2 2 2005 PATENT & TRADEMARK OFFICE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

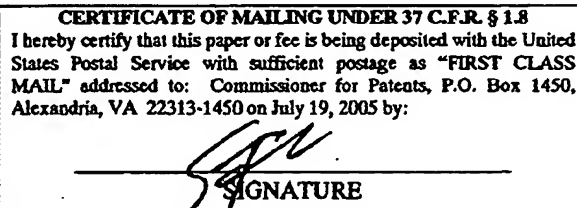|	
In Re Application Of: Manoj K. Sinha, et al	Examiner: Van Thu T. Nguyen
Serial No.: 10/667,775	Group Art Unit: 2824
Filed: September 22, 2003	Att'y Docket: 2008.007500
For: Method And Apparatus For Controlling Refresh Operations In A Dynamic Memory Device	Client Docket No: 03-0450.00

Fee only

RESPONSE TO OFFICE ACTION DATED APRIL 19, 2005

Customer No. 23720

> **CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**
> I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as "FIRST CLASS MAIL" addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 19, 2005 by:
>
> _____
> SIGNATURE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the Office Action dated April 19, 2005 for which the three-month date for response is July 19, 2005. Since this response is filed on July 19, 2005, this action is timely filed.

If an extension of time is required to enable this paper to be timely filed and there is no separate Petition for Extension of Time, this paper is to be construed as also constituting a Petition for Extension of Time under 37 CFR § 1.136(a) for a period of time sufficient to enable this document to be timely filed.
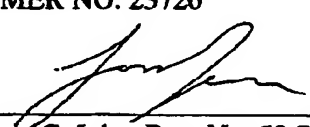
08/03/2005 YSHOAH 00000002 500786 10667775

01 FC:2202 460.00 0P
02 FC:1201 460.00 0A

The Commissioner is authorized to deduct the amount of $ 700.00 from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2008.007500. Should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Commissioner is authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2008.007500.

Reconsideration of the application in view of the following remarks is respectfully requested.

the elements of claim 22. There is no indication of motivation in the cited prior art to prompt those skilled in the art to combine their teaching to render obvious all of the elements of claim 22. Without applying improper hindsight reasoning, those skilled in the art would not combine *Lee* and *Merritt* to make obvious all of the elements of claim 22 of the present invention. However, as described above, even if *Lee* and *Merritt* were combined, all of the elements of claim 22 would not be taught or made obvious. Therefore, the Examiner fails to establish a *prima facie* case of obviousness in light of the amendments and arguments provided herein. Therefore, Applicants respectfully assert that claims 1-28 are now allowable.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Houston, Texas telephone number (713) 934-4069 to discuss the steps necessary for placing the application in condition for allowance.

Date: *July 19, 2005*	Respectfully submitted, WILLIAMS, MORGAN & AMERSON, P.C. CUSTOMER NO. 23720 By: _____ Jaison C. John, Reg. No. 50,737 10333 Richmond, Suite 1100 Houston, Texas 77042 (713) 934-7000 (713) 934-7011 (facsimile) ATTORNEY FOR APPLICANT(S)

PATENT APPLICATION FEE DETERMINATION RECORD
Effective December 8, 2004

10/667775

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS		
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	minus 20=	*
INDEPENDENT CLAIMS	minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT		☐

SMALL ENTITY TYPE ☐		OR	OTHER THAN SMALL ENTITY	
RATE	FEE		RATE	FEE
BASIC FEE	150.00	OR	BASIC FEE	300.00
X$ 25=		OR	X$50=	
X100=		OR	X200=	
+180=		OR	+360=	
TOTAL		OR	TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

AMENDMENT A

7/20/06

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	* 28	Minus	** 22	= 6
Independent	* 6	Minus	*** 4	= 2
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDI-TIONAL FEE		RATE	ADDI-TIONAL FEE
X$ 25=		OR	X$50=	300.00
X100=		OR	X200=	400.00
+180=		OR	+360=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	700.00

pmc

AMENDMENT B

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

RATE	ADDI-TIONAL FEE		RATE	ADDI-TIONAL FEE
X$ 25=		OR	X$50=	
X100=		OR	X200=	
+180=		OR	+360=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

AMENDMENT C

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

RATE	ADDI-TIONAL FEE		RATE	ADDI-TIONAL FEE
X$ 25=		OR	X$50=	
X100=		OR	X200=	
+180=		OR	+360=	